

JACOB GUFFEY,)
)
Petitioner,)
)
v.) Case No. 3:18CV50-PPS/MGG
)
WARDEN,)
)
Respondent.)

Jacob Guffey, a prisoner without a lawyer, filed a habeas corpus petition challenging his prison disciplinary hearing in MCF 17-11-6 where a Disciplinary Hearing Officer (DHO) at the Miami Correctional Facility found him guilty of attempted trafficking in violation of A-111/113 on November 2, 2017. ECF 1 at 1. As a result, Guffey was sanctioned with the loss of 30 days earned credit time and demoted from Credit Class B to Credit Class C. *Id.*

After Guffey filed his petition, the finding of guilt and sanctions were vacated. ECF 5-6. The Warden has filed a motion to dismiss because this case is now moot. ECF 5. Guffey did not file a response and the time for doing so has passed. *See* N.D. Ind. L. Cr. R. 47-2. Regardless, the court cannot overturn the disciplinary proceeding and restore his time because the Indiana Department of Correction has already vacated the proceeding and restored his time. That is to say, Guffey has already won and there is no case left for this court to decide. Accordingly, this case must be dismissed. *See Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003) (prisoner can challenge prison

disciplinary determination in habeas proceeding only when it resulted in a sanction that lengthened the duration of his confinement).

For these reasons, the motion (ECF 5) is GRANTED and the case is DISMISSED.

The clerk is DIRECTED to close this case.

SO ORDERED on April 23, 2018.

/s/ Philip P. Simon
JUDGE
UNITED STATES DISTRICT COURT